

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**STEVEN D. DAROCY and  
JUDY C. DAROCY,**

Plaintiffs,

v.

**GRAND LENDING GROUP, L.P., et al.,**

Defendants.

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Civil Action No. **3:10-CV-1259-L**

**MEMORANDUM OPINION AND ORDER**

Before the court is Plaintiffs' Motion for Extension of Time to Answer Memorandum Opinion and Order to Replead, filed October 19, 2010. Plaintiffs Steven D. Darocy and Judy C. Darocy (collectively, "Plaintiffs") seek an extension of their deadline to file their opposition to Defendants' Motion to Dismiss and the court's September 30, 2010 memorandum opinion and order.

On September 30, 2010, the court considered two motions filed by Defendants in this case. It dismissed Plaintiffs' claims against Defendants CTX Mortgage Company, LLC ("CTX") and American Title Company ("American Title") for violations of the Truth in Lending Act, 15 U.S.C. § 1601 *et seq.*, the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.*, and the Texas Deceptive Trade Practices Act. The court ordered Plaintiffs to replead their claims relating to wrongful or illegal foreclosure in accordance with the memorandum opinion and order. Plaintiffs were directed to file their amended pleading by October 22, 2010.

CTX filed a response to the instant motion, stating that it did not oppose an extension of Plaintiffs' deadline to file an amended pleading but that it opposes any request to extend their deadline to respond to motions already ruled upon by the court.

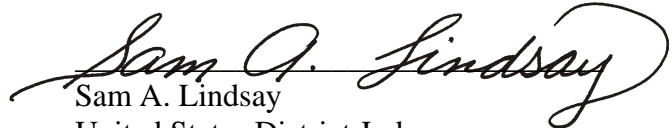
The court determines that Plaintiffs will be permitted an extension of their deadline to replead in accordance with the court's September 30, 2010 memorandum opinion and order, although not until November 30, 2010, the date they request. The court will not, however, extend their deadline to respond to motions already ruled on by the court. The court waited until Plaintiffs' time to respond to Defendants' motion had expired pursuant to the local rules. Plaintiffs do not request reconsideration of the court's September 30, 2010 order.

Accordingly, the court **grants in part** and **denies in part** Plaintiffs' Motion for Extension of Time to Answer Memorandum Opinion and Order to Replead. Plaintiffs' deadline to replead their claims is hereby **extended** from October 22, 2010, until **November 12, 2010**. Failure to comply with this order will result in the court dismissing Plaintiffs' claims without prejudice pursuant to Rule 41(b) of the Federal Rules of Civil Procedure for want of prosecution or failure to comply with a court order. The court may also determine that Plaintiffs' claims should be dismissed with prejudice for failure to state a claim upon which relief can be granted.

The court notes that Plaintiffs, who are proceeding *pro se*, are filing documents that are only signed by Plaintiff Judy Darocy. A *pro se* plaintiff who is not licensed as an attorney may not act as counsel for other *pro se* parties. *Gonzales v. Wyatt*, 157 F.3d 1016, 1021 (5th Cir. 1998); *see also* 28 U.S.C. § 1654. Accordingly, Plaintiffs may appear by counsel or *pro se*, but they may not be represented by Judy Darocy. She may represent only herself; any filings made on behalf of her and Steven Darocy but signed only by Judy Darocy will be stricken from the record. Plaintiffs

should also familiarize themselves with the Federal Rules of Civil Procedure, Federal Rules of Evidence, and local rules of this court.

**It is so ordered** this 21st day of October, 2010.

  
Sam A. Lindsay  
United States District Judge